

BARNES & THORNBURG



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PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Customer No.: 23644
Application No.: 09/929,613
Confirmation No.: 9701
Filing Date: 08/13/2001
Group Art Unit: 2831
Examiner Name: William H. Mayo, III
Attorney Docket No.: 926500-920966
(Old File No.: 6500-1801.2)
First Named Inventor: Galen M. Gareis
Title: Cable Separator Spline

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Assistant Commissioner for Patents, Washington, D.C. 20231
on Friday, May 14, 2004

(Signature)

Donna B. Vandenberg
(Printed Name)

37 C.F.R. 1.132 DECLARATION



DECLARATION

I, Galen M. Gareis of 420 South 19th street, Richmond, Indiana, to my best knowledge declare the following:

1. I am the sole inventor of an invention which has been filed with the U.S. Patent and Trademark Office as a patent application Ser. No. 09/929,613 filed on August 13, 2001 as a continuation of Application Ser. No. 09/452,702 now U.S. Patent 6,297,454.

2. I am fully experienced in the design and manufacturing of data cables and the twisted pair cable separator splines used in data cables.

3. I am the inventor named in the following U.S. Patents in the field of data cables:

| | | | |
|-----------|-----------|-----------|-----------|
| 6,686,537 | 6,222,130 | 5,486,649 | 5,000,539 |
| 6,297,454 | 5,557,698 | 5,355,427 | |

4. I have read and understand the translation of the Ikeda et al Japanese Patent 4-332406, hereinafter referred to as Ikeda. Further, I am familiar with the Ikeda twisted pair cable separator spline. If I tried to use the Ikeda cylindrical twisted pair cable separator splines in a high performance data cable using the same twisted pair cables in each of the Ikeda pockets that I use in my twisted pair cable separator spline where there is a major axis having a length greater than the minor axis, the Ikeda cable would have

(a) more alien cross talk at high frequencies; and

(b) more SKEW when long lay pairs are used in two opposite pockets and short lay pairs are used in the other two opposite pockets of the Ikeda spline when compared to the long lay cables being in the opposite pockets separated by the major axis of my spline and the short lay twisted pair cables being in the pockets separated by my spline's minor axis.

5. It would not be obvious to me, a person skilled in the twisted pair cable separator spline and data cable art, nor do I believe to anyone having ordinary skill in the twisted pair cable separator spline and data cable art from reading and understanding Ikeda, to manufacture a twisted pair cable separator spline wherein the cross-section of the spline has at least one pocket on the major axis and at least one pocket on the minor axis with the major axis having a length greater than the minor axis. I am the only one who discloses such a structure and the only one who states that such

a structure has advantages over the Ikeda structure wherein both axes of the twisted pair cable separator spline are equal. Ikeda only teaches having equal axes and does not teach or suggest why a person of ordinary skill in the art of twisted pair cable splines would use a spline having a major and a minor axis wherein the major axis has a length greater than the length of the minor axis.

6. I have read, understand and am familiar with the Ikeda patent. The size of the four pockets of the Ikeda spline and their placement are all identical in that all four Ikeda pockets are on identical length axes.

7. It would not be obvious to me, a person skilled in the art nor do I believe to anyone having ordinary skill in the twisted pair separator spline art from reading and understanding Ikeda to manufacture a twisted pair cable separator spline wherein the cross-section of the spline has two pockets on the major axis and two pockets on the minor axis with the major axis having a length greater than the minor axis. I am the only one who discloses such a structure and the only one who states that such a structure has advantages over the structure wherein both axes of the spline are equal. Ikeda only teaches having equal axes and does not teach or suggest why a person of ordinary skill in the art of twisted pair cable separator splines would use a spline having a major and a minor axis wherein the major axis has a length greater than the length of the minor axis.

8. I declare that all the statements made herein of my own knowledge are true and that all the statements made on information and belief are believed to be true; and further that the statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of application 09/929,613 or any patent issued thereon.

Date: MAY 10, 2004, 2004 Galen M. Gareis
Galen M. Gareis